

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**CAPWEALTH ADVISORS, LLC,
TIMOTHY J. PAGLIARA, AND
TIMOTHY R. MURPHY,**

Defendants.

Case No. 3:20-cv-01064

**JUDGES
CRENSHAW/FRENSLEY**

JOINT REPORT REGARDING THE APPOINTMENT OF A MEDIATOR

In accordance with the Court's Order dated July 23, 2021, the parties conferred last week via telephone to discuss the appointment of a mediator in this case. Based on their conference and earlier settlement discussions, the parties respectfully ask that the Court appoint a Magistrate Judge to serve as a mediator in this matter. The parties agree that having a judicial officer as the mediator will be beneficial and hopefully will facilitate the resolution of this matter without further Court intervention.¹

¹ The parties note that Judge Frensley is assigned to this case and Judge Holmes is assigned to a separately pending declaratory judgment action involving the defendants and their insurance carrier.

Dated this 2nd day of August, 2021.

Respectfully submitted,

/s/ Harry B. Roback

M. Graham Loomis
Regional Trial Counsel
Georgia Bar No. 457868
Tel: (404) 842-7622
Email: loomism@sec.gov

Kristin W. Murnahan
Senior Trial Counsel
Georgia Bar No. 759054
Tel: (404) 842-7655
Email: murnahank@sec.gov

Harry B. Roback
Senior Trial Counsel
Tennessee Bar No. 021665
Tel: (404) 942-0690
Email: robackh@sec.gov

COUNSEL FOR PLAINTIFF
Securities and Exchange Commission
Atlanta Regional Office
950 East Paces Ferry Road, N.E., Suite 900
Atlanta, GA 30326-1382
Tel (main): (404) 842-7600
Fax: (703) 813-9364

/s/ Eugene N. Bulso Jr.

Eugene N. Bulso, Jr. (BPR No. 12005)
BULSO PLC
155 Franklin Rd., Suite 400
Brentwood, TN 37027
Tel: (615) 913-5135
gbulso@bulso.com

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed a true and correct copy of the foregoing with the Clerk of the Court using the CM/ECF system which will automatically send e-mail notification to all counsel of record in this case.

This 2nd day of August, 2021.

/s/ Harry B. Roback
Counsel for Plaintiff